

**Illinois Health Information Exchange  
Legal Task Force  
Disclosure of Clinical Lab Test Results; Prescription Drug  
Information; Payment Claims Work Group  
March 4, 2011  
Meeting Minutes**

In-person Attendees:

Mark Chudzinski, Office of Health Information Technology  
Vaughn Ganiyu, Office of Health Information Technology  
John Lekich, Illinois Department of Healthcare and Family Services/OHIT

Attended by Phone:

Cliff Berman (Co-Chair), SXC Health Solutions Corp.  
Michele Davidson, Walgreens Co.  
Daniel Gottlieb, McDermott Will & Emery  
Ed Rickert (Co-Chair), Krieg DeVault LLP  
Wanda Satkas, Illinois Department of Human Services  
Marilyn Vetter, Takeda Pharmaceuticals NA, Inc.  
Roberta Ziccarelli, Allscripts

**A. Introduction**

Mark Chudzinski, the General Counsel of the State of Illinois Office of Health Information Technology (OHIT), welcomed people to the call at 10:03 a.m., hosted by OHIT at the State of Illinois J.R. Thompson Center in Downtown Chicago with a telephone conference call-in number. It was noted that notice of the meeting and the agenda were posted on the OHIT website and at the Chicago meeting location no later than 48 hours prior to the meeting. Roll was taken, and the ability of those attending by telephone to hear and participate was confirmed. Minutes for the 2/10/11 work group meeting were distributed prior to the meeting. Cliff Berman made a motion to approve the minutes and Michele Davidson seconded the motion. No one objected, and the minutes were subsequently approved.

Ed Rickert, as co-chair of the work group, welcomed the group and stated that the group needed to begin reviewing the relevant laws and regulations in an effort to begin the process of drafting the white paper for the development of the Illinois Health Information Exchange (HIE).

**B. Overview of Relevant Laws and Regulations**

Ed then began to list the relevant laws and regulations the work group would focus on such as, the Illinois Clinical Laboratory and Blood Bank Act (210 ILCS 25), Illinois Insurance Code (215 ILCS 5), Pharmacy Practice Act (225 ILCS 85), Illinois Public Aid Code (305 ILCS 5), Illinois

Food, Drug and Cosmetic Act (410 ILCS 620), and Illinois Controlled Substances Act (720 ILCS 570). Afterwards, Ed asked for volunteers from the work group to sign up and review each of the laws he initially listed and respond to the questions posed on the legal work group analysis worksheet.

A member of the group inquired as to specifically how the legal review of the various statutes and regulations should take place. Ed explained that once a person was assigned to review a specific Illinois law, he or she would review the law and complete the legal work group analysis worksheet and send their answers to both of the co-chairs of the group. Then they would assemble the information they received from each of the members and share them with the entire group before the next call. This will enable the group to prepare for a discussion on the relevant Illinois laws and create a foundation for the formulation of a white paper.

Shortly after this discussion, Ed emphasized that in addition to looking at the Illinois statutes and regulations, the group may also need to keep track of bills going through the state legislature in Springfield. Ed stated that there have been bills discussed in Springfield that contain language, which if enacted, could create an effect that would be contrary to Illinois' efforts of creating an HIE.

### **C. Assignment of Tasks**

Next, Ed assigned the following Illinois statutes/rules to the following members of the work group for their respective review:

Pharmacy Practice Act- Ed Rickert

Illinois Clinical Laboratory and Blood Bank Act- Daniel Gottlieb

Illinois Insurance Code- Cliff Berman

Illinois Food, Drug and Cosmetic Act- Marilyn Vetter

Illinois Controlled Substances Act- Michele Davidson

Illinois Public Aid Code- Vaughn Ganiyu

Ed and Cliff stated that March 25th would be the deadline for completing the legal work group analysis worksheet for each of the respective Illinois laws assigned to the group. Each member could send their completed worksheet to Ed and Cliff.

At the end of the meeting, Ed informed the group to keep in mind that when statutes refer to health care providers or health care practitioners, generically, these terms may not necessarily cover pharmacists. Therefore, he would like for the group members to be mindful of this fact when reviewing their respective laws.

The next meeting date was not scheduled; however, Ed said he would send a meeting poll to the group in the coming week to determine the next work group meeting.

There was no public comment offered in response to Ed's invitation for public comment.

The meeting adjourned at 10:36 a.m.